

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



January 3, 2006

TO: ALL COUNTY LICENSING PROGRAM MANAGERS

FROM:  JO FREDERICK, Deputy Director
Community Care Licensing Division

SUBJECT: LICENSING ADMINISTRATIVE ACTION RECORDS SYSTEM

This letter is to announce the availability of the new automated Licensing Administrative Action Records System. This system is intended to provide a tool for county licensing agencies to verify if a new applicant for service has been the subject of a prior licensing administrative action. The system will assist counties in complying with state law requiring the exclusion of persons against whom administrative action has resulted in a revocation, denial or exclusion order. [See, e.g. H&SC sections 1520.3, 1558, 1596.851, 1596.8897 and 1596.8898].

The system will enable county licensing workers to check identifying information for applicants against data in the California Department of Social Services (CDSS) Legal Case Tracking System. It will also direct the user to sources where additional information about a discovered licensing action can be obtained. County licensing agencies are required to check all license applicants and other individuals residing in the home through the system.

Until May 2005, administrative actions taken to revoke or deny a community care facility license, or to exclude an individual from a licensed facility, had been tracked by the Department of Justice (DOJ) through the licensing background check process. When a Decision and Order was issued to deny or revoke a license, or exclude an individual from a facility, DOJ was notified of the action and the individual's applicant history was annotated. If the individual attempted to submit new fingerprints to once again become licensed or employed in a facility, DOJ would notify CDSS of the action. However, after May 2005, DOJ terminated this practice. Since we were informed of the DOJ intention to eliminate the service, staff from the CDSS Legal, Licensing, and Information Systems Divisions have been working to develop an automated system which provides similar information.

Using the System

The new Licensing Administrative Action Records System can be located on the CDSS secure internet website at <https://secure.dss.cahwnet.gov/ccld/securenet/dojflag/default.aspx>. The initial website is a login page. We have determined that individualized passwords are not necessary

since this system is intended for use primarily by county agencies. The system login is "Dojuser." System password information for licensing can be obtained from the assigned county licensing liaisons. Contact information is included at the end of this memo (Attachment).

Once the system is activated, the county worker will enter identifying information for each applicant. In order to obtain information from the system, the identifying information entered must exactly match the information contained in the Legal Case Tracking System. Instructions for effective use of the system are included on the initial page of the website. The system will allow query by one or more personal identifiers, and searches can be refined to reflect only legal cases in which multiple identifiers are present. If the query does not reflect a match with any of the personal identifiers, then there are no identified licensing administrative actions against the individual.

Administrative Action Information

If a match is obtained, the system will indicate the current status for each licensing administrative action as follows:

- AA – Excluded: a Decision and Order or Stipulation has been entered to revoke or deny the individual's license, or exclude them from a facility.
- AA – Probation: a Decision and Order or Stipulation has been entered that allows the individual to be licensed or work in one or more facilities, subject to certain conditions.
- AA – Filed: a Statement of Issues to deny a license application or an Accusation to revoke a license or exclude an individual, has been served on the individual, but no final action on the case has been taken.
- AA – Closed: the case has been closed without a revocation, denial or exclusion action after issuance of the Statement of Issues or Accusation.

If the individual is identified as having been involved in a licensing administrative action, the county worker will need to obtain more information about the licensing action and to assess how that prior action affects their current case. The system will include document links to the signed legal documents. However, at this time, in most cases, the document links are not yet completed, and the requestor will be referred to the licensing county liaison who can assist in obtaining the legal documents.

The system provides information about legal actions that are currently in process, or that have occurred at any point in the past, even if the individual has been subsequently allowed to become licensed or return to work in a facility. At a minimum, for county licensing, the legal documents will reflect the required conditions, including imposed time restrictions on being licensed or working in a facility. As a general rule, a license revocation or denied criminal record exemption precludes the individual from licensure or facility employment for a minimum of two years. If there has been an exclusion for other reasons, the individual is usually barred from working in a facility for life. Specific conditions for individual cases should be discussed with the licensing county liaison, and with the program's consulting legal staff.

If there are questions regarding the implementation of this letter, county licensing agencies should contact the Community Care Licensing Division designated county liaison.

Attachment

DEPARTMENT OF SOCIAL SERVICES
Community Care Licensing Division County Liaisons

STATEWIDE CHILDREN RESIDENTIAL PROGRAM

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Foster Family Home County Liaisons:

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